



AMERICAN
PUBLIC
TRANSPORTATION
ASSOCIATION

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April 16, 2003

Ms. Marlene Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: RM No. 10687 - Opposition

Dear Ms. Dortch:

In response to the Federal Communication Commission's Public Notice, Report No. 2601, issued March 26, 2003, the American Public Transportation Association (APTA) hereby files this statement opposing the petition of the Industrial Telecommunication Association (ITA) to be a frequency coordinator in the Railroad Radio Service.

APTA is a nonprofit international association of over 1,500 public and private member organizations. APTA member organizations include public transit systems and commuter railroads; design, construction and finance firms; product and service providers; academic institutions; and state associations and departments of transportation. More than ninety percent of the people who use public transportation in the United States and Canada are served by APTA member systems. APTA members serve the public by providing safe, efficient, and economical public transportation service, and by working to ensure that those services and products support national economic, energy, environmental, and community goals.

APTA's rail transit members have an interest in this matter because they are eligible to use railroad channels under the FCC's rules. That is, such rail transit entities meet the definition of "railroad licensees" - carriers that are "regularly engaged in the transportation of passengers or property when such passengers or property are transported over all or part of their route by railroad."

Many of APTA's members operate their rail transit systems on rights-of-way owned by freight railroads, which means that their radio communication systems must be compatible and interoperable with those of the freight railroads on whose tracks they operate. These rail operators include such vital rail links as the Maryland Commuter Railroad (MARC), the Virginia Railway Express (VRE), New Jersey Transit (NJTransit), the Chicago Commuter System (METRA), Southeastern Pennsylvania Commuter System (SEPTA), and West Coast commuter operators such as SOUNDER, CALTRAIN and METROLINK.

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In short, APTA believes that it would be contrary to the best interests of its rail transit members for the FCC to certify multiple entities to be coordinators of railroad frequencies. Under the present system, coordination of railroad frequencies is performed by a railroad entity, the Association of American Railroads, thereby ensuring that persons who are knowledgeable about the unique aspects of railroad operations perform the frequency coordination. APTA believes this system has served the industry well, and we see no reason to change it.

Respectfully submitted,

William W. Millar
President

WWM/cbo

cc: Mr. Jeremy Denton
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